

OGC 79-05263

6 June 1979

MEMORANDUM FOR: Special Assistant, DDS&T

FROM : [REDACTED]
Assistant General Counsel

SUBJECT : Covert Procurement: [REDACTED]

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[REDACTED]

1. In the meeting last week concerning the categories of covert procurement necessary for your directorate, [REDACTED] raised the issue of [REDACTED] covered by the scope of the restrictions of Section 2-303 of E.O. 12036. I thought our previous discussions on this matter had laid it to rest, but apparently [REDACTED] remains uncomfortable about it.

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2. As we have previously discussed, it is the view of this Office that the restrictions of that Section of the Order apply when the Agency [REDACTED]

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[REDACTED]

That, of course, by definition is not covert procurement that would be prohibited by either the Order or the procedures.

4. I have discussed this with Mr. Ken Bass, the attorney in the Office of Legal Counsel, Department of Justice, who has been given the staff level responsibility for the development

of the procedures required by the Order and he agrees with the views mentioned above.

5. Incidentally, on 2 June the Attorney General approved our proposed procedures. We now have 30 days from that date to have the DCI or DDCI approve the necessary categories. We thus now have a strong incentive to complete the development of those categories.



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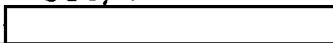
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